

Hon. Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON STANLEY,

Defendant.

No. 2:20-cr-00222-RAJ

ORDER ON DEFENDANT'S
MOTION TO REDUCE
SENTENCE

I. INTRODUCTION

THIS MATTER comes before the court on Defendant Jason Stanley's Motion to Reduce Sentence Under 18 U.S.C. § 3582(c)(2) and Amendment 821. Dkt. # 231. The government filed its opposition (Dkt. # 235) and the defendant filed his reply. Dkt. # 236. For the reasons set forth below, the Court **DENIES** the defendant's motion. The defendant did not request oral argument on this motion, and none is warranted.

Most of the facts advanced by the parties are undisputed. The record clearly indicates the defendant pled guilty on September 21, 2022 to a hate crime and making false statements. PSR ¶ 2. He was sentenced to 47 months and nine days of imprisonment. This sentence was to be served concurrently with the sentence he was already serving in Idaho that stemmed from revocation of his parole from an

1 unrelated 2008 Aggravated Battery offense. The defendant now seeks a sentence
2 reduction on the sole ground that a retroactive amendment to the Sentencing
3 Guidelines has reduced his sentencing range.

4 It is equally undisputed that the defendant meets the minimum eligibility
5 requirements for a sentence reduction based on Amendment 821, USSG 4A1.1(e).
6 Previously, the defendant's criminal history points increased under former USSG
7 4A1.1(d), but with the revision, he is now the beneficiary of the amendment.
8 Consequently, he now has six criminal history points, and his criminal history
9 category is III with a guideline imprisonment range of 37 to 46 months.

10 The defendant argues the Court previously imposed a sentence 1 month and 9
11 days above the low end of the guideline range. He now asks the Court to reduce his
12 sentence consistent with his 37 to 46 months Guideline range and sentence him to 38
13 months and 9 days.

14 II. DISCUSSION

15 In response to the defendant's motion, the government outlined the detailed
16 horrific attack on the victim, the aggravated nature and severity of this hate crime,
17 and the life-long trauma and continuing medical consequences suffered by the
18 victim all of which resulted in the charges to which the defendant pled guilty. The
19 recitation of facts to support the charge and plea are unchallenged and adopted by
20 the Court as a restatement of the facts before this Court at sentencing.
21 Consequently, those facts will not be repeated in this order.

22 As noted, the sole justification advanced by the defendant for the sentence
23 reduction is Amendment 821. At the original sentencing the court provided a
24 detailed basis for the sentence and the components of § 3553(a) that explained the
25 reasoning behind the sentence imposed. Blatantly absent from the defendant's
26 motion is any articulation or consideration of these factors to motivate this Court to
exercise its discretion in his favor. Moreover, the defendant failed to address any

1 information regarding his post-sentencing conduct or circumstances, whether
2 positive or negative. *United States v. Darden*, 910 F.3d 1064, 1068 (8th Cir. 2018).

3 The Court agrees with the government that the Guidelines expressly direct
4 that “[t]he court shall consider the nature and seriousness of the danger to any person
5 or the community that may be posed by a reduction in the defendant’s term of
6 imprisonment.” USSG § 1B1.10, application Note 1 (B)(ii). Rather than articulate a
7 hint of remorse or indication of rehabilitation, the defendant rests upon the mentality
8 that since the law changed, he is entitled to an adjustment in his sentence. The
9 defendant is plainly misguided and fails to present a sufficient basis considering §
10 3553(a) factors to reduce his sentence. Defendant has woefully confused eligibility
11 with entitlement.

12 The nature and circumstances of the offense, the need for the sentence to
13 reflect the seriousness of the offense and to promote respect for the law guideline
14 factors all strongly dictate no sentence reduction is appropriate.

15 The victim in this case suffered a brutal attack by the defendant and the men
16 accompanying him. The facts unquestionably demonstrate the only reason for the
17 attack was based upon the defendant’s white supremacist mentality with the single
18 purpose of beating a Black man for no reason or purpose other than pure hate and his
19 race. Even when innocent bystanders attempted to assist the victim, the defendant
20 and his cohorts assaulted them to a degree they suffered bodily injuries after being
21 punched, hit in the face, and sustained injuries. It was abundantly clear from the
22 facts that the defendant and his associates had no regard for the law as their brutal
23 attacks were openly displayed with indifference to anyone observing their actions.

24 The defendant’s history and characteristics, the need to provide just
25 punishment, specific deterrence, and the need to protect the public are equal reasons
26 why the defendant’s motion should be denied.

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1 As noted by the government, the defendant was on Idaho State parole when
2 he attacked the victim. Dkt. #235, at 14. He had been released after finishing the
3 seven-year “determinate” portion of his 2008 Aggravated Battery sentence, in 2015.
4 He clearly had to understand that he could be sentenced back to prison for an
5 additional 11 years if he violated his parole. PSR ¶62. Despite these obvious
6 consequences that should have been readily apparent to the defendant, he knowingly
7 elected to engage in a hate/race-based attack on an innocent Black citizen. The
8 Court is also aware of the defendant’s criminal history that he engaged in over many
9 years of his life, including other acts of violence. These features of the defendant’s
10 past are unmitigated in his motion and only reaffirm that the original sentence
11 imposed was correct and no justification is present under the § 3553(a) factors to
12 make any adjustment in the original sentence.

13 For these reasons, the defendant’s motion is **DENIED**.

14 DATED this 28th day of March, 2025.

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18 The Honorable Richard A. Jones
19 United States District Judge
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